

Testimony Supporting Senate Bill 927: An Act Concerning Seclusion and Restraint in Schools

Eddie Joseph
Committee on Children
February 24, 2015

Representative Urban, Senator Bartolomeo, and distinguished members of the Committee on Children:

I am a Policy Fellow at Connecticut Voices for Children, a research-based public education and advocacy organization that promotes the well-being of Connecticut's children, youth, and families.

On behalf of Voices for Children I am here today to support **S.B. 927, An Act Concerning Seclusion and Restraint in Schools**. Underlying our work at Voices for Children is the fundamental belief that *all* children, regardless of race, ethnicity, sexuality, class, ability, or geography should be assured of a meaningful opportunity to achieve their full potential. When children are restrained or put in seclusion in a school setting, they are deprived the opportunity for a high-quality educational setting and are at risk for trauma, serious injuries, or even, most tragically, death. **This legislation protects students by preventing the use of physical restraint or seclusion for anything other than emergency situations and requires the topics of restraint, seclusion and other de-escalation techniques to be addressed during in-service trainings for teachers.**

In 2015, the Office of the Child Advocate (OCA) published a report on the use of restraints and seclusions among elementary school students.¹ The report found that each year there are more than 30,000 incidents of seclusion and restraint affecting more than 2,500 students. Restraint and seclusion can lead to serious injury. The report found that over the last three years, the Connecticut State Department of Education reported more than 1,313 incidents of a child being injured during a restraint or seclusion, with more than 2 dozen injuries categorized as "serious."² The majority of the children restrained and secluded are identified as eligible for special education due to a disability, are male, African American or Hispanic/Latino, and many were as young as preschool.³ The report's findings:

"raise significant concern regarding the frequency with which young children with disabilities were restrained or secluded, the lack of documentation or actual compliance with state laws, and the prevalence of unidentified and unmet educational needs for children subject to forceful or isolative measures."⁴

Moreover, research shows "that restraint and seclusion can physically and emotionally harm children—traumatizing and scaring them, and even worsening behaviors that practitioners are seeking to reduce."⁵ In fact, the U.S. Department of Education found that: "There is no evidence that using restraint or seclusion is effective in reducing the occurrence of the problem behaviors that frequently precipitate the use of such techniques."⁶

The clear need to address mental and behavioral health challenges in order to keep children successful and safely in school is also manifested in the disproportionate rates by which special education students are removed from the classroom. Connecticut Voices for Children

recently published a report analyzing rates of exclusionary school discipline in Connecticut.⁷ The report found that **students with special education needs are consistently arrested, expelled, and suspended at higher rates than regular education students.**⁸ In 2013, special education students were arrested at 3.0 times the rate of general education students in 2013, 1.8 times more likely to be expelled than general education students, more than twice as likely to receive out-of-school suspensions, and more than one and a half times more likely to receive in-school suspensions than general education students.⁹

It is crucial to remember that, as the OCA report makes clear, **“reliance on seclusion and restraint is a symptom of a larger systemic challenge”** of how schools and communities can effectively work to understand and address underlying mental and behavioral health challenges without resorting to dangerous and counterproductive strategies. As the U.S. Department of Education makes clear, “The foundation of any discussion about the use of restraint and seclusion is that every effort should be made to structure environments and provide supports so that restraint and seclusion are unnecessary.”¹⁰ This legislation heeds this recommendation by limiting the use of restraints and seclusions and requiring educators to be trained in reducing such tactics and instead implementing de-escalation techniques.

Luckily, there are clear and evidence-based practices to decrease both restraint and seclusion and exclusionary school discipline policies. Through training, skilled instruction, and positive behavioral supports, programs around the country have seen a dramatic decrease in utilization of restraint and seclusion. These programs include Positive Behavioral Interventions and Supports, the Six Core Strategies, and in-service trainings for teachers.¹¹

By limiting the use of restraint and seclusion and requiring that educators receive special instruction on de-escalation techniques, this legislation takes important steps towards keeping all children safely in school.

Thank you very much for your time and consideration.

Edie Joseph
Policy Fellow
Connecticut Voices for Children

¹ See, “Seclusion and Restraint in CT Schools,” Office of the Child Advocate, February 2015. Available at: http://www.ct.gov/oca/lib/oca/SECLUSION_AND_RESTRAINT_IN_CT_SCHOOLS_Final_Report.pdf.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ “Restraint and Seclusion: Resource Document,” U.S. Department of Education, May 2012. Available at: <https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

⁷ See, “Keeping Kids in Class: School Discipline in Connecticut, 2008-2013,” Connecticut Voices for Children. Available at: <http://www.ctvoices.org/sites/default/files/jj15schoolarrestsreport.pdf>.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ See, “Seclusion and Restraint in CT Schools,” Office of the Child Advocate, February 2015. Available at: http://www.ct.gov/oca/lib/oca/SECLUSION_AND_RESTRAINT_IN_CT_SCHOOLS_Final_Report.pdf.